

Message Text

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ORIGIN NEA-10

INFO OCT-01 EUR-12 ISO-00 PM-04 NSC-05 SP-02 SS-15 CIAE-00

INR-07 NSAE-00 DODE-00 SSO-00 NSCE-00 INRE-00 MC-02

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FM SECSTATE WASHDC

TO AMEMBASSY JIDDA IMMEDIATE

AMEMBASSY SANA IMMEDIATE

INFO AMEMBASSY LONDON

S E C R E T STATE 063155

E.O11652: GDS

TAGS: MASS, MARR, SA, YE

SUBJECT: ARMS FOR YEMEN

REFERENCES: (A) JIDDA 1883, (B) SANA 852, (C) JIDDA 1804,
(D) JIDDA 1773, (E) SANA 811, (F) USDAO SANA DTG 070500Z
MARCH 76, (G) SANA 752, (H) SANA 743, (J) STATE 45897,
(K) SANA 517.

1. BEGIN SUMMARY: RECENT TRAFFIC FROM JIDDA AND SANA
INDICATES MISUNDERSTANDINGS ON PROCEDURES CONCERNING
ARMS PROGRAM FOR YAR. EMBASSIES JIDDA AND SANA SHOULD
PROMPTLY CONVEY TO YARG AND SAG ESSENTIAL POINTS OF USG
POSITION AND URGE YARG AND SAG INITIATE PROCESS OF CLOSE
CONSULTATION ON ARMS PROGRAM; ACTG ASSISTANT SECRETARY OF
DEFENSE JORDAN WILL ALSO BE PREPARED DISCUSS THESE ISSUES
IN BOTH SAUDI ARABIA AND YEMEN. END SUMMARY.

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2. FOR YARG PROGRAM, THERE ARE TWO SEPARATE FACETS

RELATING TO NON-TRANSFER ASSURANCES:

A) FIRST FACET IS FOR EQUIPMENT PREVIOUSLY SOLD TO SAG BY USG WHICH SAUDIS DECIDE TO TRANSFER TO YAR. WHEN THIS EQUIPMENT WAS ORIGINALLY SOLD, SAUDIS AGREED THAT ANY TRANSFER TO ANOTHER COUNTRY COULD NOT BE DONE WITHOUT PRIOR USG APPROVAL. AS LETTER OF DECEMBER 4, 1975 FROM

MODA PRINCE SULTAN TO EMBASSY REGARDING TRANSFER OF 105 MM HOWITZERS TO YAR (JIDDA'S 8093 DECEMBER 6, 1975) CLEARLY INDICATES, SAUDIS UNDERSTOOD PROCEDURE. THE LOGICAL COROLLARY OF THIS REQUIREMENT IS THAT COUNTRY RECEIVING EQUIPMENT BEING TRANSFERRED (IN THIS CASE YAR) SHOULD FURNISH ASSURANCES THAT IT WILL NOT IN TURN TRANSFER THIS EQUIPMENT TO ANOTHER COUNTRY WITHOUT PRIOR USG APPROVAL. THESE REQUIREMENTS ARE PART OF USG LEGISLATION AND IT NOT POSSIBLE FOR USG TO COMPROMISE ON ISSUE BY ENTRUSTING TO SAG RESPONSIBILITY TO ASSURE THAT YAR WILL NOT TRANSFER EQUIPMENT TO FOURTH PARTY, AS PROPOSED BY PRINCE SAUD (REFTEL C).

B) SECOND FACET RELATES TO EQUIPMENT WHICH WOULD BE SOLD DIRECTLY TO YAR ASSUMING SAUDIS ACCEPT PROCEDURE EARLIER OUTLINED IN MAY 1975 LETTER FROM AMBASSADOR AKINS TO PRINCE SULTAN AND WHICH COL. DHAHIRI HAS ACCEPTED AND PROMISED TO DISCUSS WITH PRINCE SULTAN. UNDER THIS PROCEDURE, YAR WOULD BE REQUIRED, JUST AS ANY OTHER FMS PURCHASER, TO SIGN LOAS WHICH INCLUDE STANDARD REQUIREMENT NOT TO TRANSFER EQUIPMENT TO ANOTHER PARTY WITHOUT PRIOR USG APPROVAL. ISSUE AT MOMENT IS THAT SAG HAS NOT YET AGREED TO PROCEDURE TO BE FOLLOWED FOR SHIPMENT OF EQUIPMENT TO YAR. IF SAG ACCEPTS THIS PROCEDURE, NO SEPARATE ASSURANCES ARE REQUIRED OF YAR. AS WE HAVE INDICATED EARLIER, FACT THAT YAR SIGNS LOAS IN NO WAY DIMINISHES VISIBLE AND CONTROLLING SAUDI ROLE IN YAR ARMS PROGRAM.

3. DOD HOPES TO HAVE PREPARED LETTERS OF OFFER COVERING SAUDI LIST PRIOR TO PRINCE SULTAN'S VISIT TO SANA ON APRIL 10. DEPT. OF ARMY COURIER WILL HAND-CARRY TO JIDDA PRIOR TO SULTAN'S VISIT. LETTERS OF OFFER WILL BE
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ADDRESSED TO YARG REPEAT YARG, NOT SAG, IN ACCORDANCE WITH PROCEDURE WHICH USG HAS CONSISTENTLY PROPOSED. HOWEVER, LETTERS OF OFFER WILL NOT BE PRESENTED TO YAR UNTIL AFTER APPROVAL BY SAG AND WE WOULD HAVE NO OBJECTION IF SAG PREFERRED ITSELF DELIVER LOAS TO YAR FOR SIGNATURE AND THEN RETURN THEM TO US. SOME OF THESE WILL BE SUBJECT TO CONGRESSIONAL REVIEW AND WILL NOT BE AVAILABLE FOR RELEASE AS SIGNED LOAS UNTIL REVIEW PERIOD EXPIRES.

WE MAY BE ABLE TO PROVIDE UNSIGNED COPIES FOR MODA
REVIEW CONCURRENT WITH CONGRESSIONAL REVIEW.

4. WE UNDERSTAND FROM REPORTING THAT VISIT BY PRINCE
SULTAN TO SANA IS INDEPENDENT OF PROGRESS ON ARMS PROGRAM
AND WILL FOCUS LARGELY ON ECONOMIC QUESTIONS (REFTELS G,
H). IT THEREFORE SEEMS UNJUSTIFIED FOR YARG OR SAG TO
ATTRIBUTE POSSIBLE DELAY IN SULTAN VISIT TO PUTATIVE
DELAYS IN USG RESPONSE TO SAUDI SHOPPING LIST OF
JANUARY 26.

5. FOR SANA: IT ESSENTIAL THAT YARG UNDERSTAND DIFFER-
ENCE IN PROCEDURES GOVERNING TRANSFER OF WEAPONS FROM
SAUDI ARABIA PREVIOUSLY SOLD TO SAUDI ARABIA BY USG
(PARA 2-A ABOVE) AND PROCEDURES GOVERNING NEW EQUIPMENT
(PARA 2-B). SINCE YEMENI OBJECTION TO SIGNING LETTERS
RESTRICTING TRANSFER TO FOURTH COUNTRIES OF OLD EQUIPMENT
(INCLUDING TWELVE HOWITZERS DELIVERED TO SANA BY SAG IN
SEPTEMBER 75) APPEARS TO ORIGINATE WITH PRESIDENT AL-HAMDI,
RECOMMEND THAT AMBASSADOR SEEK APPOINTMENT WITH HIM AT
EARLIEST POSSIBLE OPPORTUNITY. YOU SHOULD STRESS THAT
PROCEDURES GOVERNING THIRD-COUNTRY TRANSFERS ARE ROOTED
IN USG LEGISLATION AND APPLIED EQUALLY TO ALL COUNTRIES
RECEIVING USG-ORIGIN WEAPONS. EXECUTIVE BRANCH OF USG
IS BOUND BY THIS PROCEDURE. SINCE EQUIPMENT TO BE
DELIVERED IS FOR YARG'S OWN USE, USG DOES NOT UNDERSTAND
YARG OBJECTION.

6. FOR JIDDA: SUCCESS OF JORDAN MISSION, INSOFAR AS IT
RELATES TO YAR ARMS PROGRAM, REQUIRES SAG ACCEPTANCE OF
PROCEDURES GOVERNING BOTH OLD AND NEW EQUIPMENT FOR YAR.
SUGGEST THAT EMBASSY SEEK CONTACT PRINCE SULTAN PRIOR
TO REPEAT PRIOR TO JORDAN VISIT TO ELICIT HIS VIEWS ON
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BOTH TRANSFER OF OLD EQUIPMENT AND SIGNING OF LOA'S FOR
NEW EQUIPMENT. ON OLD EQUIPMENT, YOU SHOULD NOTE THAT
SAG ITSELF HAS ALREADY ACCEPTED US REQUIREMENTS BUT
THAT YARG SEEMS TO NOT FULLY UNDERSTAND THOSE
REQUIREMENTS. COULD SAG ENCOURAGE YARG TO TAKE A
MORE FORTHCOMING POSITION?

7. ON NEW EQUIPMENT, YOU SHOULD STRESS THAT PROCEDURE
WHEREBY SAG SIGNS A STATEMENT AGREEING TO PAY FOR EACH
LOA, BUT THAT YARG SIGNS ACTUAL LOA, IS DESIGNED TO
MINIMIZE PAPERWORK COMPLICATIONS AND COMPLY WITH USG

EGISLATIVE REQUIREMENTS, WHILE PRESERVING CENTRAL SAG
ROLE IN ARMS PROGRAM. USG PROPOSAL THAT NEW EQUIPMENT
BE DELIVERED DIRECTLY TO YAR IS BASED ON DESIRE TO

IMPLEMENT PROGRAM EFFECTIVELY WITH MINIMUM OF DELAY. USG HAS PROPOSED THAT EQUIPMENT, WHEN DELIVERED TO YAR COULD, IF YEMENIS AGREE, BE TURNED OVER INITIALLY TO A SAUDI MILITARY GROUP FOR INSPECTION, TO BE FOLLOWED BY TRANSFER TO YARG ARMED FORCES.

8. FOR SANA AND JIDDA: IT IS OBVIOUS THAT SAG AND YARG HAVE NOT BEEN CONSULTING WITH ONE ANOTHER ON THESE QUESTIONS (REFTEL E). BOTH POSTS SHOULD URGE THEIR RESPECTIVE HOST GOVERNMENTS TO ESTABLISH NECESSARY CONTACTS AND VIABLE MECHANISMS TO RESOLVE THESE AS WELL AS FUTURE PROBLEMS ASSOCIATED WITH ARMS PROGRAM. WE ASSUME THAT JOINT SAUDI-YEMENI COMMISSION WOULD BE SUITABLE CONSULTATIVE MECHANISM, BUT DECISIONS ON TECHNICAL MATTERS CANNOT IN EACH CASE AWAIT CONVENING OF COMMISSION AT HIGHEST LEVEL. WOULD IT NOT BE POSSIBLE FOR OFFICE OF YEMENI AFFAIRS IN SAUDI MODA (DHAHIRI) AND OFFICE OF YEMENI CHIEF OF STAFF (AL-GHASHMI) TO ESTABLISH DIRECT COMMUNICATIONS LINK?

9. QUESTION OF "IMPACT PACKAGE" (REFTELS A, B, D) HAS BEEN RECEIVING HIGHEST PRIORITY DOD CONSIDERATION. IT IS UNLIKELY THAT MEANINGFUL "IMPACT PACKAGE" FOR IMMEDIATE DELIVERY CAN BE CULLED FROM SAUDI 26 JANUARY LIST. JORDAN MAY BE ABLE PRESENT "IMPACT PACKAGE" OF EQUIPMENT NOT REPEAT NOT EXTRACTED FROM LIST. KISSINGER

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